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Cr1.O.P.No.4976 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.02.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Cr1.O.P.No.4976 of 2025

P.Prabakar

... Petitioner

Vs.

State Rep.

The Station House Officer

Town Police Station

Karaikal District. (Crime No.169 of 2024)

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, to enlarge the petitioner on bail in Crime No.169 of 2024 on the file of the respondent.

For Petitioner : Mr.S.Vinoth Kumar

For Respondent : Mr.Leonard Arul Joseph Selvam

Learned Government Advocate (Criminal Side)

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 21.01.2025, seeking bail in Crime No.169 of 2024 registered for the offence under Section 420, 468, 471, 473 r/w.34 of IPC.

2.The case of the prosecution is that the Deputy Collector (Revenue)-cum-Sub Division Magistrate, Karaikal lodged a complaint stating that between 09.01.2023 and 25.02.2024, some unknown persons, in furtherance of common intention, have fraudulently fabricated the documents affixed with the forged



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signature of the defacto complainant with Government official seal projecting that the vast extent of land belongs to Sri Paarvadheeswarar Swamy Devasthanam near JIPMER Hospital, Karaikal has been converted into the house sites by the Government itself and the housing plots are being assigned to the general public on market value and the documents were shared by online in social media and huge amount from the general public are being collected and to prevent the general public being cheated, the defacto complainant has requested for necessary legal action against the culprits. Thus, the respondent police have registered the present case and the investigation reveals that the petitioner herein has allegedly enticed several persons in Karaikal by showing the forged and fabricated documents and collected huge amount.

3.Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He also submitted that the petitioner is in custody from 21.01.2025 and he is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4.Learned Government Advocate (Cr1.Side) appearing for the respondent police, while opposing for grant of bail to the petitioner, reiterated the prosecution case. The learned Government Advocate further submitted that the co-accused were already granted bail by this Court in Cr1.OP.No.28362 of 2024



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on 27.11.2024.

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5. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Cr1. Side) for the respondent Police and perused the materials available on record.

6. Considering the nature of allegations, period of incarceration undergone by the petitioner, since the allegations are borne out by records, co-accused was already released on bail, and since further custody is not required for the purpose of interrogation, this Court is inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Karaikal, and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the respondent Police, everyday at 10.30 a.m., until further orders;

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;



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[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]***;

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

28.02.2025

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SUNDER MOHAN, J.
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To

1.The Judicial Magistrate No.I, Karaikal

2.The Station House Officer
Town Police Station
Karaikal District

3.The Superintendent,
Sub Jail, Karaikal.

4.The Public Prosecutor,
High Court of Madras.

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